

ADVISORY COMMITTEE ON COMMERCIAL OPERATIONS OF CUSTOMS AND BORDER PROTECTION

One U.S. Government at the Border Subcommittee Executive Summary – Border Interagency Executive Council October 2014

OVERVIEW:

- An expanded Border Interagency Executive Council (BIEC) was formally established by Executive Order 13659 (February 19, 2014), “*Streamlining the Export/Import Process for America’s Businesses*,” and charged with improving coordination among the 47 agencies with import and export requirements.
- The inaugural meeting of the BIEC was conducted on March 10, 2014 and continues to meet every 30 to 45 days to ensure the various sub-committees fulfill the action plans they have developed to meet the objectives of the Executive Order.
- This newly expanded BIEC will significantly enhance the U.S. Government’s ability to achieve the efficiencies of “one government” at the border and incorporate the work of Advisory Committee on Commercial Operations of Customs and Border Protection (COAC). This includes incorporating the One USG Master Principles, and analyzing the output of the COAC’s import and export mapping exercises to identify opportunities to streamline processes,
- Executive Order 13659 has two main requirements: 1) the completion and government-wide utilization of the International Trade Data System (ITDS) by December 31, 2016; and, 2) the establishment of a two-tiered governance structure to manage implementation.
- DHS has significant responsibilities for both requirements. In particular, U.S. Customs and Border Protection (CBP) is the lead developer of the ITDS “single-window,” and the Deputy Secretary of the Department of Homeland Security (DHS) is the Chair of the newly expanded Border Interagency Executive Council (BIEC), the policy development arm of the governance structure.
- The deadline and transparent implementation schedules established by EO 13659 will accelerate the development of “single-window” capabilities long awaited by industry stakeholders and foreign governments. The EO demonstrates a firm political will to ensure the continued engagement of senior leadership at the department level that oversee the agencies involved in this effort.
- The BIEC includes executives from the Departments of Agriculture, Commerce, Defense, Health and Human Services, Interior, Justice, State, Transportation, and Treasury. National Security Council (NSC) Staff, National Economic Council (NEC) Staff, and representatives from the Office of Management and Budget and the United States Trade Representative also attend.

BIEC STRUCTURE:

EO Governance Structure

- The BIEC, chaired by DHS, will provide strategic leadership and policy guidance to improve coordination among agencies with border responsibilities and between the U.S. Government and other stakeholders.
- The ITDS Board of Directors, an existing body created by statute¹ and chaired by the Department of the Treasury, will continue to oversee the development of the “single-window” technical capabilities.
- The ITDS effort is integral to the BIEC effort where agencies will work together to develop the “single window” ITDS system and work within the BIEC structure to develop and coordinate a more streamlined processes for ITDS implementation.

BIEC Committee Structure:

- The BIEC is comprised of senior officials at the Department level that oversee the following agency level working committees:
 - Risk Management Committee (chaired by FDA)
 - Process Coordination Committee (chaired by CBP)
 - External Engagement Committee (chaired by Commerce)
- Partner government agencies in the Risk Management Committee are working to develop complementary and coordinated risk management processes with the objective of creating more efficient and effective targeting of imports and exports for the U.S. Government.
- Partner government agencies in the Process Coordination Committee are working to identify opportunities to reduce and streamline reporting requirements and develop more integrated and efficient processing of imports and exports.
- COAC and the other representatives of the trade will have the opportunity to engage the BIEC further through the External Engagement Committee. Private sector input will be critical in identifying critical opportunities for improving and streamlining the import and export processes.

International Trade Data System (ITDS)

- The ITDS establishes information communication capability that will allow businesses to transmit, through an electronic “single-window,” the data required by the U.S. Government to import or export cargo, and will enable the Government to speed its review of this information.
- The ITDS will replace the current approach by which businesses submit information to dozens of different government agencies, often on paper forms and via manual processes.

¹ SAFE Port Act, Pub.L. 109–347, Section 405

STATUS UPDATE:

BIEC: The Last BIEC meeting took place on September 16, 2014. Discussion topics included a review of BIEC committees' progress to date, an update from the ITDS Board of Directors, a discussion of existing differences among agencies' processes and priorities, and the path forward for meeting the objective of streamlining import and export processes while meeting the ITDS implementation deadline.

Updates from the BIEC Committees included:

- **Risk Management:** The committee developed common risk management principles to inform agency operations associated with the review and release of cargo at the border and encourage compliance with applicable laws. These principles, which have been approved by the BIEC.
- **Process Coordination:** The committee developed common process coordination principles to improve and accelerate agency review of electronic data transferred through relevant systems and provide coordinated and streamlined responses back to users. These principles, which have been approved by the BIEC.
- **External Engagement:** Since June, and through a series of events (i.e., pilot programs, website, etc.), the committee engaged and solicited input from industry and other stakeholders in discussions related to implementation of the ITDS.

ITDS Board of Directors: Currently, the Board is working on the following:

- Updating participant agencies' regulations to implement EO 13659. A list of regulations has been identified with input from the private sector through the BIEC External Engagement Committee. Progress on this issue will be discussed at the October 2014 BIEC meeting.
- Meeting the November 2015 IT build of the ITDS infrastructure. Although significant progress has been made, the partner government agencies continue to work aggressively and collaboratively to ensure their reporting requirements are integrated into ITDS. Several agencies, including the USDA Food Safety and Inspection Service and the Environmental Protection agency are successfully testing and receiving data via limited pilots implemented in the Single Window.
- Required Memoranda of Understanding (MOU) have been successfully established so that participating agencies can work to integrate their operational requirements into ITDS. So far, most of the participating government agencies have completed their MOUs and the remaining are in progress.

Important Upcoming Meetings:

- Senior-Level BIEC Meeting: October 2014, exact date to be determined.
- Trade Support Network (TSN): October 7-8, 2014.
- Software Vendor Conference: October 9, 2014.

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